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11 UNITED STATES DISTRICT COURT
12 DISTRICT OF NEVADA
13

14 JENNIFER WILSON,
15 Plaintiff,

16 vs.

17 WALMART STORES, INC., *et al.*,
18 Defendants.
19

Case No. 2:11-CV-01170-JCM-CWH

**STIPULATION AND ORDER TO AMEND
DISCOVERY PLAN AND SCHEDULING
ORDER**

[FIRST REQUEST]

20
21 Defendant Walmart Stores, Inc. ("Defendant") and Plaintiff Jennifer Wilson ("Plaintiff"), by
22 and through their undersigned counsel, hereby agree and stipulate to amend the Discovery Plan and
23 Scheduling Order (**Dkt #13**), by extending the current discovery cut-off date of January 17, 2012, for
24 a period of ninety (90) days, up to and including **April 16, 2012**, along with other dates to be
25 extended as follows:

26 **1. Dispositive Motions:**

27 The parties shall file dispositive motions 30 days after the extended discovery cut-off date,
28 and therefore not later than **May 16, 2012**.

1 **2. Pretrial Order:**

2 If no dispositive motions are filed, and unless otherwise ordered by this Court, the Joint
3 Pretrial Order shall be filed 30 days after the date set for filing dispositive motions, and therefore not
4 later than **June 15, 2012**. In the event dispositive motions are filed, the date for filing the Joint
5 Pretrial Order shall be suspended until 30 days after the Court enters a ruling on the dispositive
6 motions, or otherwise by further order of the Court.

7 **3. Interim Status Reports:**

8 In accordance with Local Rule 26-3, an Interim Status Report will be filed by the parties with
9 the Court 60 days prior to the extended discovery cut-off date, and therefore not later than **February**
10 **16, 2012**.

11 **4. Extensions or Modifications of the Discovery Plan and Scheduling Order:**

12 In accordance with Local Rule 26-4, any stipulation or motion for further modification or
13 extension of this discovery plan and scheduling order must be made no later than 20 days prior to the
14 extended discovery cut-off date, and therefore not later than **March 27, 2012**.

15 **DISCOVERY COMPLETED TO DATE**

16 The parties have exchanged disclosures of documents pursuant to FRCP 26(a)(1). The
17 parties have propounded initial written discovery, and are waiting for responses. An ENE
18 conference was previously held in this matter before Magistrate Judge Cam Ferenbach, but a
19 settlement was not reached.

20 **DISCOVERY TO BE COMPLETED**

21 Written discovery is ongoing in this case. The parties anticipate the taking of several
22 depositions upon the receipt of the written discovery responses.

23 **REASONS FOR EXTENSION TO COMPLETE DISCOVERY**

24 This extension is necessary to allow both parties ample time to complete all appropriate
25 discovery. Specifically, additional time is needed, among other reasons, to complete written
26 discovery before the deposition phase of discovery can begin. Further, postponement and
27 rescheduling of the ENE conference until late in the discovery period delayed the issuance of written
28 discovery. The parties believe that, absent any unforeseen circumstances, all necessary discovery

1 can be accomplished by the requested extended deadline.

2 This extension is sought in good faith, and not for purposes of undue delay.

3 **NEW DISCOVERY DEADLINES**

4 Accordingly, the parties stipulate, subject to approval of this Court, to the following new
5 deadlines:

6 **Interim Status Report Due February 16, 2012**

7 **Deadline to File Extension or Modification of Discovery Plan. March 27, 2012**

8 **Discovery Deadline April 16, 2012**

9 **Dispositive Motion Deadline May 16, 2012**

10 **Joint Pre-Trial Order June 15, 2012**

11 With regard to the extended deadline for the Joint Pre-Trial Order, if dispositive motions are
12 filed with the Court, the deadline for the parties to file the Joint Pre-Trial Order will be extended to a
13 date thirty (30) days following the entry of the Court's Order ruling on any such dispositive
14 motion(s) filed by the parties.

15 Dated: December 28, 2011

Dated: December 28, 2011

16 Respectfully submitted,

Respectfully submitted,

17
18 /s/ James P. Kemp, Esq.
19 JAMES P. KEMP, ESQ.
KEMP & KEMP

/s/ David R. Keene, II, Esq.
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LITTLER MENDELSON

20 Attorneys for Plaintiff
21 JAMES P. KEMP

Attorneys for Defendant
WALMART STORES, INC.

22
23
24 December 29, 2011
IT IS SO ORDERED.

ORDER

25
26 
UNITED STATES DISTRICT JUDGE /
MAGISTRATE JUDGE

27 Firmwide:106084183.1 015602.7854